

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIGUEL ANGEL CORREA,

Defendant.

8:10CR163

ORDER

Defendant Miguel Angel Correa (Correa) appeared before the court on September 11, 2013, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 80). Correa was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Special Assistant U.S. Attorney Martin J. Conboy, IV. Through his counsel, Correa waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition alleges probable cause and that Correa should be held to answer for a final dispositional hearing before Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Correa declined to present any evidence and waived a detention hearing. Since it is Correa's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Correa has failed to carry his burden and that Correa should be detained pending a dispositional hearing before Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:00 a.m. on October 18, 2013**. Defendant must be present in person.

2. Defendant Miguel Angel Correa is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 12th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge